



BILLING CODE: 4510–FP–P

DEPARTMENT OF LABOR

Office of the Secretary

Agency Information Collection Activities; Submission for OMB Review; Comment Request; Application for Alien Employment Certification

ACTION: Notice.

SUMMARY: The Department of Labor (DOL) is submitting the Employment and Training Administration (ETA) sponsored information collection request (ICR) revision titled, “Application for Alien Employment Certification,” to the Office of Management and Budget (OMB) for review and approval for use in accordance with the Paperwork Reduction Act (PRA) of 1995 (44 U.S.C. 3501 et seq.). Public comments on the ICR are invited.

DATES: The OMB will consider all written comments that agency receives on or before [INSERT DATE 30 DAYS AFTER THE DATE OF PUBLICATION IN THE FEDERAL REGISTER].

ADDRESSES: A copy of this ICR with applicable supporting documentation; including a description of the likely respondents, proposed frequency of response, and estimated total burden may be obtained free of charge from the RegInfo.gov Web site at http://www.reginfo.gov/public/do/PRAViewICR?ref_nbr=201312-1205-0006 (this link will only become active on the day following publication of this notice) or by contacting

Michel Smyth by telephone at 202-693-4129, TTY 202-693-8064, (these are not toll-free numbers) or sending an email to DOL_PRA_PUBLIC@dol.gov.

Submit comments about this request by mail or courier to the Office of Information and Regulatory Affairs, Attn: OMB Desk Officer for DOL-ETA, Office of Management and Budget, Room 10235, 725 17th Street, N.W., Washington, DC 20503; by Fax: 202-395-6881 (this is not a toll-free number); or by email: OIRA_submission@omb.eop.gov. Commenters are encouraged, but not required, to send a courtesy copy of any comments by mail or courier to the U.S. Department of Labor-OASAM, Office of the Chief Information Officer, Attn: Departmental Information Compliance Management Program, Room N1301, 200 Constitution Avenue, N.W., Washington, D.C. 20210; or by email: DOL_PRA_PUBLIC@dol.gov.

FOR FURTHER INFORMATION CONTACT: Michel Smyth by telephone at 202-693-4129, TTY 202-693-8064, (these are not toll-free numbers) or sending an email to DOL_PRA_PUBLIC@dol.gov.

AUTHORITY: 44 U.S.C. 3507(a)(1)(D).

SUPPLEMENTARY INFORMATION: This ICR seeks OMB approval under the PRA for revisions to the Application for Alien Employment Certification information collection that helps the DOL to meet its statutory responsibilities for program administration, management, and oversight under the Immigration and Naturalization Act (INA). INA section 212(a)(5)(A)(iii) deals specifically with professional athletes coming to the U.S.A on a permanent basis as immigrants, and Form ETA-750, part A is used to collect information that permits the DOL to meet Federal responsibilities for such entry. Form ETA-750, part B provides detailed information about an alien's education and work

history and is used by the DOL to collect information about the professional athlete on whose behalf an application for permanent labor certification is filed. The Department of Homeland Security also uses part B for foreign workers applying for the National Interest Waiver of the job offer requirement under INA section 203(b)(2)(B)(i). This use is required under is also required 8 CFR 204.5(k)(4)(ii).

This information collection has been classified as a revision, because Form ETA-9142B is now used to obtain information needed to issue an H-2B visa to a professional athlete seeking temporary non-immigrant admission into the U.S.A. The DOL has previously used Form ETA-750 part A to collect information for labor certification for athletes seeking either temporary or permanent admission. The DOL obtains PRA authority for Form ETA-9142B under Control Number 1205-0509, and this ICR will merely conclude the transfer of the burden from one Control Number to another.

This information collection is subject to the PRA. A Federal agency generally cannot conduct or sponsor a collection of information, and the public is generally not required to respond to an information collection, unless it is approved by the OMB under the PRA and displays a currently valid OMB Control Number. In addition, notwithstanding any other provisions of law, no person shall generally be subject to penalty for failing to comply with a collection of information that does not display a valid Control Number. See 5 CFR 1320.5(a) and 1320.6. The DOL obtains OMB approval for this information collection under Control Number 1205-0015. The current approval is scheduled to expire on April 30, 2014; however, the DOL notes that existing information collection requirements submitted to the OMB receive a month-to-month extension while

they undergo review. For additional substantive information about this ICR, see the related notice published in the Federal Register on January 3, 2014 (79 FR 407).

Interested parties are encouraged to send comments to the OMB, Office of Information and Regulatory Affairs at the address shown in the ADDRESSES section within 30 days of publication of this notice in the Federal Register. In order to help ensure appropriate consideration, comments should mention OMB Control Number 1205-0015. The OMB is particularly interested in comments that:

- Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;
- Evaluate the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;
- Enhance the quality, utility, and clarity of the information to be collected; and
- Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses.

Agency: DOL-ETA.

Title of Collection: Application for Alien Employment Certification.

OMB Control Number: 1205-0015.

Affected Public: Private Sector—businesses or other for-profits and not-for-profit institutions.

Total Estimated Number of Respondents: 2,033.

Total Estimated Number of Responses: 2,033.

Total Estimated Annual Time Burden: 3,692 hours.

Total Estimated Annual Other Costs Burden: \$0.

Dated: April 15, 2014.

Michel Smyth,

Departmental Clearance Officer.

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